

### **REMARKS/ARGUMENTS**

Applicant acknowledges the Examiner's objection to the disclosure and specification, but courteously requests that these objections be held in abeyance until such time as allowable subject matter is indicated. Applicant will make the requested changes at that time.

Claims 1-11 and 13-25 are currently pending in the present case. All of these claims have been rejected under 35 U.S.C. § 103 (a) as being unpatentable over US Pat. No. 5,677,383 ("Chum") in view of WO01/092403 ("Tau"). Applicant respectfully traverses this rejection.

Each of the pending claims requires (A) a mixture of homogeneously branched polyethylene and heterogeneously branched polyethylene and (B) another polymer having a melt strength at least twice that of the mixture. Thus, these claims require three separate components. Chum teaches only mixtures of homogeneously branched polyethylene with heterogeneously branched polyethylene. As pointed out by the examiner, Chum does not teach the third component (B).

As Chum does not teach or suggest each element, the Examiner cites Tau to supply element (B) and the motivation for combining these references. The Examiner has incorrectly characterized Tau as "teaching a method of improving the melt strength of LLDPE". Specifically the Examiner referred to page 2, line 29+ for support for the statement that "the polypropylene increases the melt strength of the composition by 1.5 times or more. Reading this passage carefully, it is clear that the "increased melt strength" refers to the polypropylene itself and not the overall mixture. Moreover it is the azide coupling (i.e. the rheological modification) which causes the reported increased melt strength and not the addition of the polypropylene to the LLDPE. While it may be true that a mixture containing the rheologically modified polypropylene will have a higher melt strength than the same mixture with an unmodified polypropylene, there is no evidence as to whether the modified polypropylene has a higher or lower melt strength than the other component(s) in the mixture.

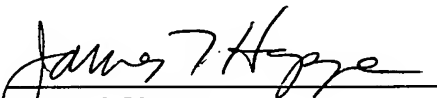
That there is no such evidence is not surprising because rather than teaching a means to increase melt strength, Tau teaches the addition of rheologically modified

polypropylene to LLDPE in order to increase the *modulus* of films made from such blends (see page 2, line 24). There is no suggestion in Tau that there is a need to increase the melt strength of LLDPE nor is there a suggestion that adding the polypropylene will accomplish this. Melt strength of the polyethylene component in Tau is simply not addressed in this reference.

Moreover, even if Tau suggested that it is desirable to increase the melt strength of the LLDPE, a person of ordinary skill in the art would expect that such increase would come at the expense of other properties such as heat sealing characteristics and toughness properties, and therefore such a combination would not be desirable. It is the balance of properties, as described in the specification (see, for example page 1, lines 18-21), which makes this invention notable.

Accordingly, as the art cited by the examiner does not teach or suggest the combination of a mixture of heterogeneously branched polyethylene and homogeneously branched polyethylene together with a third polymer component having the specified melt strength, the Applicant now courteously requests the Examiner to reconsider the rejection, and provide a notice of allowance.

Respectfully submitted,

  
James T. Hoppe  
Registration No. 35,899  
Phone: 979-238-9039

P. O. Box 1967  
Midland, MI 48641-1967